UNITED NATIONS

CEDAW

Convention on the Elimination of all Forms of Discrimination Against Women

Distr.
LIMITED

CEDAW/C/1992/L.1/Add.5
27 January 1992

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Eleventh session
New York, 20-31 January 1992
Item 7 of the agenda

ADOPTION OF THE REPORT

Addendum

Ghana replies (combined initial and second periodic)

1. In replying to questions raised by members, the representative of Ghana stated that the lack of available data had made it difficult for the delegation to provide statistics on a number of issues.

2. Responding to general questions raised by members, she gave some clarification about the fundamental law governing Ghana since the suspension of the 1979 Constitution. Most of the general provisions of the 1979 Constitution had been re-enacted by the Provisional National Defence Council Law 42, which had suspended the Constitution. Answering a question on the increasing numbers of female-headed households, she said it was caused mainly by male emigration, male irresponsibility and the breakdown of marriages due to economic and other factors. An additional factor was that educated and economically independent women now desired to have had children out of wedlock.

3. Turning to article 2 and the question of the possibility of moving towards a unified system of law, she stated that there had been an ongoing effort to minimize the conflicts between State and traditional law. When such conflicts occurred, State law prevailed.

4. On article 3, in reply to a question on measures to encourage women to work outside their homes, she noted that Ghanaian women had always been economically active both inside and outside the home, until beyond the official retirement age of 60, because of the concentration of the labour force in agriculture and the informal sector.

5. Answering additional questions under article 3, she provided the Committee with information on the Ghanaian National Machinery for the Advancement of Women. The National Council on Women and Development was an autonomous government agency that reported to the Government. Its budget in 1992 was about $400,000. A 15-member Council supervised the work programme of the organization. The Council included both male and female members and representatives of key sectoral ministries, and was chaired by the Ghanaian expert currently serving on the Committee. Current activities were carried out by a national secretariat, of which she was the head. The national secretariat has 10 departments, in charge of plans and policy analysis, human resource development, aid and project coordination, research, statistics and management information, finance and administration. There were regional and district offices. The National Council on Women and Development was increasingly working with and through NGOs and coordinated their efforts. Its major concerns included awareness-raising for women and for society as a whole, increased visibility of women in public and political life, increased government support to the private sector and maximization of funds available to women's groups engaged in gender-specific activities.

6. Regarding article 4, she said that the Government had no stated position, but was willing to institute temporary measures when necessary. She gave examples, such as the allocation of seats to women and women's groups in the Consultative Assembly, which was drafting a new Constitution for the country. In reply to a question on the time-frame for a revision of legislation discriminating against women, she noted that there was no stated time-frame but the interest of the Law Reform Commission and other bodies gave hope that the action would be taken on the matter as early as possible. Subsequent revisions could be expected given the goodwill of the Government, illustrated by its acceptance of the National Council on Women and Development's proposals for the new draft Constitution. Discrimination was however embedded in the substance of the society, and not only in its laws.

7. On article 5 and questions asked by the Committee on widowhood rites, she informed the Committee that widowhood rites varied from one ethnic group to another. She gave examples of such rites, which included physical offences, sharing the heads of widows and insults by the family-in-law. There had been cases of women successfully contesting such offences in court. Answering questions on actions taken to combat such rites, she said that there were vigorous campaigns on the part of the Government, the National Council on Women and Development and NGOs, for ethnic groups to abandon such practices. Educational campaigns on that matter were directed at both men and women. Several male traditional rulers had accepted the legislation on widowhood rites and subsequently issued edicts. In reply to a question on the statistical frequency of violence against women, she stated that, while the incidence of such rites was acknowledged in Ghana, it was at present difficult to obtain reliable data on it due to sociocultural and economic constraints. On whether the Government had a plan to eradicate traditional practices harmful to women, she mentioned the National Council on Women and Development's medium- and long-term plan to strengthen measures to change such practices. Turning to stereotyping and a question on governmental support to

NGO campaigns against it, she mentioned that the Government had over the years supported NGOs through the allocation of subventions. No statistics were available on the amounts involved. In reply to a question on the success of campaigns to change the moral values of society, she recognized that the programmes had been moderately successful and that efforts were being pursued throughout the country. She also noted that the ideas and realities about women's traditional dependence on men were slowly changing as a result of women's increasing role in the economic maintenance of the household. Turning to a question on women's perception of their situation under traditional law in general, she mentioned that studies being undertaken by the Government, the National Machinery and universities on that issue revealed women's displeasure with several of the traditional practices. In response to the Committee's queries on the situation of women in matriarchal communities, the representative stated for the record that any reference to "matriarchal and patriarchal" in the report should read "matrilineal and patrilineal". Matrilineal inheritance occurred in Ghana essentially under the "patriarchal system of control", which actually limited the rights of women. Around 40 per cent of the population was under the matrilineal system, and 60 per cent under the patrilineal.

8. As regards prostitution under article 6, she informed the Committee that research had been carried out on its causes. It was often economic necessity that pushed many women into prostitution. Longer-term measures to reduce prostitution had included programmes to encourage unemployed women to attend training courses and school programmes to increase future economic independence. On the prevention and treatment of HIV/AIDS among prostitutes, she mentioned educational programmes carried out in particular by the Ministry of Health, the National Council on Women and Development, NGOs and church groups. There was also a national programme to provide prostitutes with contraceptives.

9. She answered the Committee's question on the efficiency of legislation against trafficking in young women by indicating that, due to the nature of the problem, it was difficult to ensure the effectiveness of legislation in that respect. However, the law did not spare culprits. On a question on programmes addressing trafficking in young women, she pointed out that Ghanaian consulates provided services such as legal aid and repatriation to women victims of prostitution or trafficking. Such services were however provided only for cases brought to the attention of the consulates, which represented limited numbers, owing to the fear of repatriation or the preference for avoiding official interference in personal matters.

10. On article 7, she answered a query about practical measures to increase women's participation in public and political life, stressing that educational activities and awareness programmes had been carried out by the National Council on Women and Development and NGOs to pursue that goal. In reply to a question on the allocation of development aid, she stressed that aid coordination in Ghana was undertaken by the International Economic Relations Division of the Ministry of Finance and Economic Planning, where a number of women served in very high decision-making positions. The National Council on

Women and Development was also represented on a national body coordinating decisions on the allocation of aid, and had a unit especially in charge of ensuring that women benefited from donor assisted projects.

11. Regarding article 8 and the clarification asked about the nationality of the child, the representative referred to the Provisional National Defence Council Law 42, which had suspended the Constitution. It stipulated that a person born in Ghana would become a citizen of Ghana if either of his parents or grandparents was or had been a citizen of Ghana. A person born outside Ghana would be a citizen of Ghana if either of his parents was a citizen of Ghana. A child below 16 years of age could obtain Ghanaian nationality through adoption by a citizen of Ghana.

12. Turning to article 10 and the question of the limited use of family planning, she explained that the low use of family planning was due to the high premium placed on child-bearing and the fact that many rural families needed large families for economic activities. Family planning education was readily available and programmes had been implemented by a number of national and international agencies to sensitize society to the advantages of birth-spacing and smaller families. On education and literacy, she confirmed that tuition was free at all levels. Answering a question on the increased number of girls aged 6 and above who had never attended school, she pointed out that the proportion of uneducated girls had been decreasing, while the absolute numbers increased. She also indicated that the economic difficulties had forced many parents to withdraw their children from school and introduce them to small trading on local markets. In answer to a question on actions to provide reading materials to the Ghanaians, she pointed out that such material in English and major local languages had been designed and produced as part of the efforts to eradicate illiteracy. A newsletter by the National Council on Women and Development, textbooks and other reading materials for basic or other types of education were also available. In reply to a question on child-care, she pointed out that creches sponsored by individuals or groups of individuals complemented those sponsored by the Government and NGOs. The latter tended to be cheaper than the former, since they received subsidies. Extended families continued to play an important role in child care.

13. On article 11 and a question on self-employment, she mentioned small-scale industries such as food-processing and crafts, agriculture and petty trading as some of the main activities involved. Referring to the members' views that a law guaranteeing the rights of women at work was necessary, she said that the Labour Decree and Industrial Relations Act provided among others for maternity leave and job security during pregnancy. ILO Convention on underground work had also been ratified. Answering a query about equal pay for work of equal value, she informed the Committee that the legislation of Ghana referred to "equal pay for equal work". On the issue of measurement of unremunerated housework, she said that the Ghanaian Statistical Service was working to improve its statistics on the gross national product (GNP) and particularly on household income.

14. In relation to article 12, she answered members' questions on programmes for the prevention of AIDS. Such programmes were being implemented by the Ministry of Education, the Ministry of Health and religious organizations. Turning to the Committee's concern to combat against female genital mutilation, she stated that considerable efforts and resources were being put into that area by the Government and the National Council on Women and Development. They included educational programmes on the harmful effects of genital mutilation, seminars and discussions. NGOs were also active in the field, and she gave the example of the Association for Women's Welfare, which had it as one of its main priorities.

15. Answering questions under 16, she gave clarifications on the situation of single women. Their number was difficult to estimate but it was clearly increasing. As regards their ability to earn an independent living, she noted that they were free to engage in any remunerative activities.

16. Turning to questions on the coexistence of different systems of law related to marriage, she brought several additional elements of information. Women were largely free to opt for the marriage of their choice. Answering a query about legislation on wife-beating, she said that, while it was generally condoned in traditional society, it was an offence punishable under the Criminal Code.

17. She answered a question on actions to increase awareness about the intestate succession law. There were a number of educational programmes being carried out by the National Council on Women and Development throughout the country. For example posters had been distributed to encourage women to make a will. In addition, legal literacy programmes were conducted by NGOs and international organizations. In response to the Committee's request, she clarified the concept of "maternal inheritance to stool". When a chief died in a matrilineal society, she explained, the throne (stool) was given to his sister's son, or if he did not have a sister, to a maternal cousin's son.

18. In concluding, the Chairperson expressed the appreciation of the Committee for the frankness and openness of the report on Ghana. The Committee praised the efforts made to organize the report and to present numerous aspects of the situation of women. That was especially laudable because Ghana was a developing country. The report and the discussions had showed that problems still faced by women in Ghana were related to tradition and customary practices. The Committee noted with great appreciation the efforts made to review the codes. Illiteracy remained one of the problems still faced by women and was linked to social, cultural as well as historical situations. The Committee noted the lack of statistics and the attempts made by the Government of Ghana to provide more statistics on different aspects of the situation of women. The Committee praised the programme of the National Council on Women and Development to overcome discrimination against women, and particularly the efforts to increase the number of women in decision-making positions and to raise awareness. It stressed the importance of the Government's support for that programme and noted the fact that there was awareness of the problems faced by women by those in charge of their fate.